



Docket No. 18433.00

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANT: JOHN T. ANDREWS et al.

SERIAL NO: 09/812,558

ART UNIT: 3628

FILED: March 21, 2001

EXAMINER: HO

FOR: VIBRATING, BODY-PIERCING JEWELRY

COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, VA 22313-1450

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DECLARATION UNDER 37 CFR 1.131

Honorable Commissioner of Patents and Trademarks
Washington, D.C. 20231

Sir:

We, John T. Andrews and Kenneth R. Whittinghill, hereby state as follows:

1. We are the inventors of claims 1-20 of the above-identified application.

2. Prior to April 5, 2000, we conceived the idea for vibrating, body-piercing jewelry. On February 8, 2000, we mailed a Patent Application Request Form dated February 8, 2000, a copy of which is attached hereto as Exhibit A, and which requested the preparation of a provisional patent application for an invention described as "Battery Operated Vibrating Body Piercing Jewelry", listing the aforesaid John T. Andrews and Kenneth R. Whittinghill as co-inventors, to Litman Law Offices,

Ltd.

3. On February 14, 2000, we sent a sheet of drawings of the vibrating, body-piercing jewelry, a copy of which is attached hereto as Exhibit B; to Litman Law Offices, Ltd. by facsimile, indicating that we had conceived the invention substantially as described and claimed in the present application prior to April 5, 2000.

4. Litman Law Offices, Ltd. prepared a draft of a provisional patent application, as requested, and transmitted a copy of the draft to us with a transmittal letter dated March 23, 2000 (attached hereto as Exhibit C.)

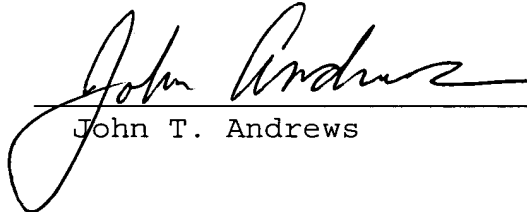
5. A signed copy of the Verification of Small Entity Status (attached as Exhibit D) was sent to Litman Law Offices, Ltd. by facsimile on April 7, 2000, and the provisional patent application was filed with the U.S. Patent and Trademark Office on the same day, being docketed as U.S. Provisional Patent Application, Serial No. 60/195,201.

6. The present patent application was filed on March 21, 2001, and claims priority from the above-identified provisional patent application.

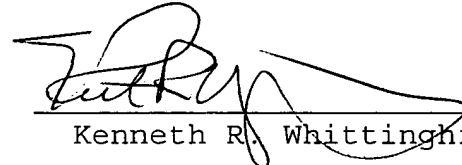
I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information

and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Date: 9-23-03


John T. Andrews

Date: 9/23/03


Kenneth R. Whittinghill

LITMAN

LAW OFFICES, LTD.

American Patent Services

**PATENT APPLICATION
REQUEST FORM****A**

MAILING ADDRESS:

P.O. Box 15035

Crystal City Station

Arlington, VA 22215

TOLL FREE: 1-800-4-PATENT

TOLL FREE FAX: 1-888-4-PATENT

Local: 703-486-1000

Local FAX: 703-486-7000

STREET ADDRESS:

Patent Law Building

3717 Columbia Pike

Arlington, VA 22204

PLEASE COMPLETE THIS FORM AND RETURN IT TO US BY MAIL, **UPS** OR FAX.

NAME OF INVENTOR: GOOD VIBRATIONS BODY JEWELRY		DATE: FEB. 8, 2000
INVENTION: BATTERY OPERATED VIBRATING BODY PIERCING JEWELRY		DOCKET NUMBER: 18433.00
INVENTOR PERSONAL INFORMATION		
FULL NAME: JOHN TROY ANDREWS		MD = A-536 429 802 523 x 7/2/64 SS = 220-88-0086
HOME ADDRESS: 25 E. WIND DR. OCEAN CITY, MD - 21842		
POST OFFICE ADDRESS (IF DIFFERENT): [REDACTED]		
HOME PHONE NUMBER: 410-213-0968		WORK PHONE NUMBER: 410 289 0232
FAX NUMBER: [REDACTED]		E-MAIL ADDRESS: [REDACTED]
CITIZENSHIP: <input checked="" type="checkbox"/> U.S.		OTHER (NAME OF COUNTRY): SPAIN
CO-INVENTOR PERSONAL INFORMATION (IF MORE THAN ONE, LIST ADDITIONAL CO-INVENTORS ON A SEPARATE SHEET.)		
FULL NAME: KENNETH RICHARD WHITTINGHILL		MD W352 465 738 067 x 1/25/01 SS = 217-48-2074
HOME ADDRESS: 1267 SUNSET AVE. G-4 OCEAN CITY, MD. 21842		
POST OFFICE ADDRESS (IF DIFFERENT): [REDACTED]		
HOME PHONE NUMBER: 410-213-2713		WORK PHONE NUMBER: 410-213-7208
FAX NUMBER: 410-213-0346		E-MAIL ADDRESS: [REDACTED]
CITIZENSHIP: <input checked="" type="checkbox"/> U.S.		OTHER (NAME OF COUNTRY): <input type="checkbox"/>

ARE ANY INVENTORS 65 YEARS OF AGE OR OLDER?

☐ YES☒ NO

IF SO, YOU ARE ELIGIBLE FOR AN EXPEDITED EXAMINATION OF UTILITY AND DESIGN APPLICATIONS. PLEASE PROVIDE US WITH THE NAME OF THE INVENTOR AND THE BIRTHDATE ON A SEPARATE SHEET, AND WE WILL PREPARE THE PETITION AT NO EXTRA COST.

DO YOU HAVE ANY MODELS OF YOUR INVENTION?

☒ YES☐ NOIF SO, PLEASE DO NOT SEND THEM UNLESS REQUESTED. HOWEVER, YOU MAY PROVIDE US WITH PHOTOGRAPHS, DRAWINGS OR ANY OTHER ADDITIONAL INFORMATION.

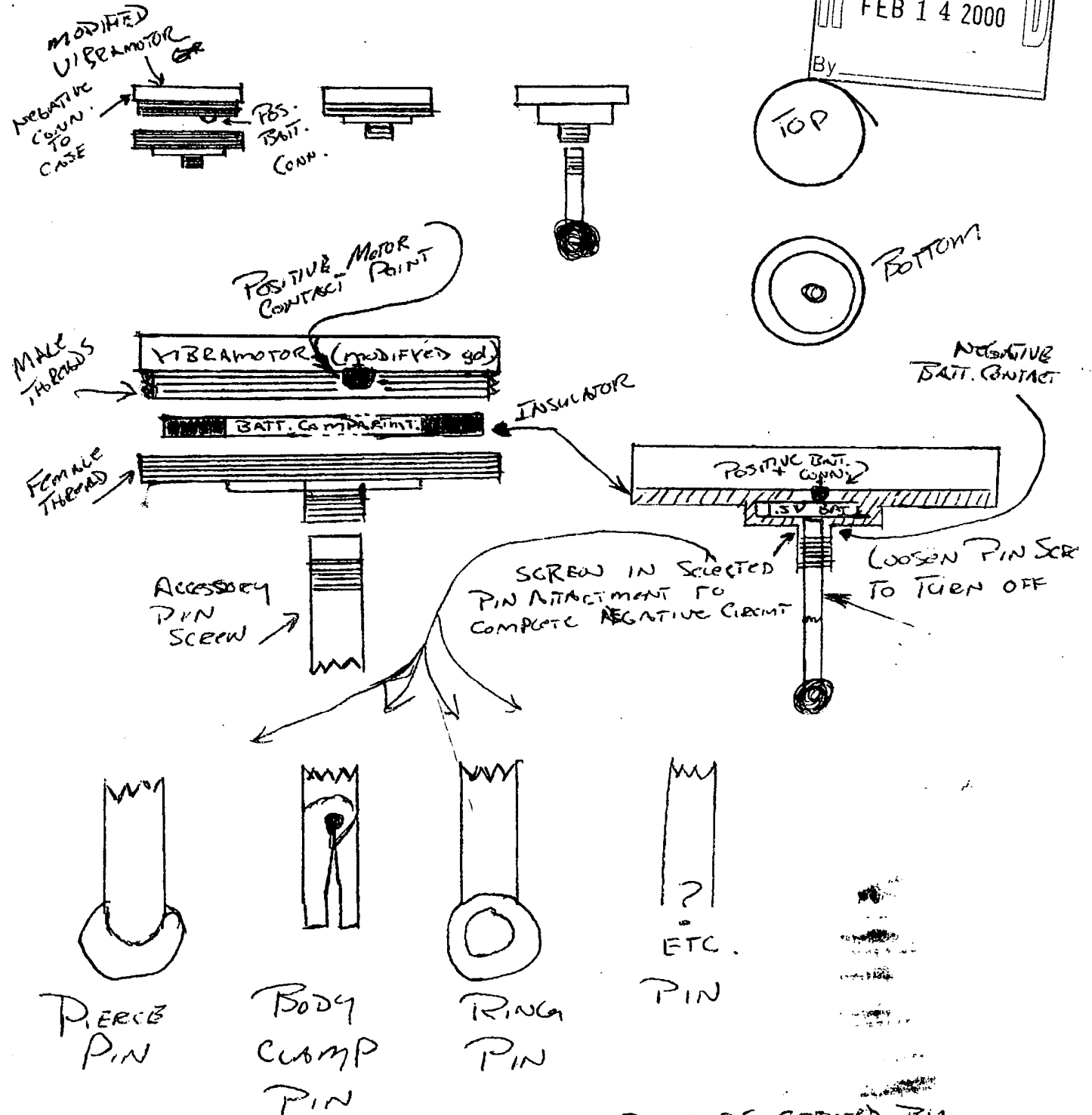
WILL THE PATENT APPLICATION BE ASSIGNED?

☐ YES☒ NO

(OWNERSHIP TRANSFERRED) IF SO, PLEASE LIST THE NAME AND ADDRESS OF THAT PARTY ON A SEPARATE SHEET.

Exhibit A

To - ~~CHARLES~~ CHARLON
Fax - 888 472-8368



RECEIVED
FEB 14 2000
By _____

DRAWINGS CREATED BY
KENNETH WHITTINGHILL
217 48 2074

Exhibit B

ON [redacted]
DOCKET # 18433.00

LITMAN
LAW OFFICES, LTD.
American Patent Services

MAILING ADDRESS:
P.O. Box 15035
Crystal City Station
Arlington, VA 22215

STREET ADDRESS:
Patent Law Building
3717 Columbia Pike
Arlington, VA 22204

INTERNET ADDRESS:
<http://www.4patent.com>
E-MAIL ADDRESS:
litman@4patent.com

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March 23, 2000

FILE COPY

Mr. John T. Andrews
Mr. Kenneth Richard Whittinghill
1070 North Washington Street
Apartment 506
Easton, MD 21601

Docket No. 18433.00
Re: Provisional Patent Application for
VIBRATING BODY PIERCING JEWELRY

Dear Messrs. Andrews and Whittinghill:

Enclosed is a finalized copy of the provisional patent application which has been prepared in connection with the above invention.

Please carefully review the enclosures to confirm the accuracy of all information, disclosures and statement. Please note that revisions to your application could result in increased time and costs due to the additional work involved. The formal documents have been prepared indicating that two inventors (Mr. John Troy Andrews and Mr. Kenneth Richard Whittinghill) are involved with the present invention. (Please note that the order in which the co-inventors are listed and who share equally in the invention has no bearing upon the rights of each to the invention.)

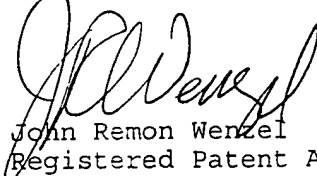
If all is in order, sign and date the formal document in the places indicated, exactly as your printed name appears, prior to returning all papers (the specification, drawings and the formal document) to this office. Upon receipt of the application and executed formal document, we will promptly prepare such for filing with the U.S. Patent and Trademark Office and provide you with a date-stamped copy to verify the filing date for your records.

Please note that as this is a provisional patent application, it will automatically become abandoned one year after the filing date. You must file a utility or international patent application based on your provisional patent application, within one year after the filing date of your provisional patent application, in order to maintain patent pending status and pursue patent protection for your invention.

If you have any questions, please feel free to give us a call at your convenience. For now, it has been a pleasure serving you.

Very truly yours,

LITMAN LAW OFFICES, LTD.


John Remon Wenzel
Registered Patent Attorney

JRW:cah
Enclosures

Exhibit C

Attorney Docket No. 16433.00

**VERIFIED STATEMENT (DECLARATION) CLAIMING SMALL ENTITY STATUS
37 CFR 551.9(f) and 1.27(b))--INDEPENDENT INVENTOR**

As the below named inventor, I hereby declare that I qualify as an independent inventor as defined in 37 CFR 1.9 (c) for purposes of paying reduced fees under section 41 (a) and (b) of Title 35, United States Code, to the Patent and Trademark Office with regard to the invention entitled below and in:

VIBRATING BODY PIERCING JEWELRY

 X the specification filed herewith.

I have not assigned, granted, conveyed, or licensed and am under no obligation under contract or law to assign, grant, convey or license, any rights in the invention to any person who could not be classified as an independent inventor under 37 CFR 1.9 (c) if that person had made the invention, or to any concern which would not qualify as a small business concern under 37 CFR 1.9 (d) or a nonprofit organization under 37 CFR 1.9 (e).

Each person, concern or organization to which I have assigned, granted, conveyed, or licensed or am under an obligation under contract or law to assign, grant, convey, or license any rights in the invention is listed below:

 X no such person, concern or organization

I acknowledge the duty to file, in this application or patent, notification of any change in status resulting in loss of entitlement to small entity status prior to paying, or at the time of paying, the earliest of the issue fee or any maintenance fee due after the date on which status as a small business entity is no longer appropriate. (37 CFR 1.28 (b)).

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true, and further that these statements are made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application, any patent issuing thereon, or any patent to which this verified statement is directed.

JOHN TROY ANDREWS

Name of Sole or First Inventor

JOHN TROY ANDREWS

John Troy Andrews
Signature of Sole or First Inventor

Date 4-3-2000

KENNETH RICHARD WHITTINCHILL

Name of Second Inventor

Kenneth R. Whittinchill
Signature of Second Inventor

Date 4/7/00

Exhibit D